

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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March 30, 2004

FROM: PATRICK J. MEAD, Interim Director
Department of Public Works – **Solid Waste Management Division**

SUBJECT: REVISED ENVIRONMENTAL MITIGATION FUND USE POLICY

RECOMMENDATION:

- 1) Approve amended policy to the Solid Waste Management Division Environmental Mitigation Fund, on file with the clerk of the Board, revising eligibility criteria for use of the fund to include the County's portion of costs associated with debris cleanup in the aftermath of a locally declared disaster.
- 2) Approve expenditures up to \$500,000 of Environmental Mitigation Fund monies for the Solid Waste Management Division's portion of disaster debris cleanup costs resulting from the Old and the Grand Prix Fires.

BACKGROUND INFORMATION: On July 10, 2001, the Board Supervisors approved the Solid Waste Management Division (SWMD) Environmental Mitigation Fund (EMF) Use Policy. In accordance with the EMF Use Policy, proposed projects or programs must reduce, avoid, or otherwise mitigate impacts arising from the operation and management of a County-owned landfill or transfer station to be eligible for use of EMF monies. Any proposed project or program requesting EMF monies in excess of \$25,000 requires Board approval. The EMF Use Policy then gives examples of the type of projects to be funded. The source of revenue for the EMF is a \$1/ton component of the Solid Waste tipping fee.

The SWMD now recommends adding language to the EMF Use Policy to expressly provide that SWMD's costs for its roll with debris management in the aftermath of a locally declared disaster is a recognized type of project that is eligible for use of EMF monies. The use of EMF monies in this role is appropriate, since a coordinated debris removal program will minimize the traffic and associated impacts at the affected landfills and transfer stations. This benefit will arise since the coordinated program will maximize the recycling of recyclable materials (thus insuring they are not taken to County disposal facilities) as well as limit the number of vehicles with refuse entering the affected landfills and transfer stations (since a significant number of small loads delivered by homeowners will not occur and the loads from the coordinated program can be managed and coordinated to minimize congestion at the disposal facilities).

As a result of the Grand Prix and Old Fires, in December 2003, the Board of Supervisors authorized the SWMD to coordinate the disaster debris removal using private contractors and program monitors. While the majority of costs associated with debris removal and monitoring

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qualifies for funding from the Federal Emergency Management Agency (FEMA) and the State Office of Emergency Services, there will be a small percentage of costs that must be financed by the County. Approval of this item would authorize the use of the EMF to finance this cost up to \$500,000.

Programs such as the Economic and Community Development Department's Community Development Block Grant (CDBG) Program may be available to reduce the amount of EMF monies necessary to fund the coordinated debris removal program. All possible sources of funding will be exhausted before using EMF monies. In addition, any funds reimbursed to the County through property liens will be available, after refunding the CDBG program, to replenish the EMF.

Based on the projected costs of the coordinated debris removal program, the maximum amount of EMF monies believed to be necessary for use is \$500,000. Under the provisions of the EMF Use Policy, Board approval for the use of such amounts is required.

REVIEW AND APPROVAL BY OTHERS: This item was reviewed by Deputy County Counsel Robert L. Jocks (387-5435) on March 16, 2004 and County Administrative Office (Tom Forster, Administrative Analyst, 387-4635) on March 20, 2004.

FINANCIAL IMPACT: There is no impact on the County General Fund. While the final amount of EMF monies is to be determined, after all other possible sources are exhausted, this action authorizes up to \$500,000 of such funds to be used for the debris removal program. The EMF currently has a cash balance of approximately \$3.3 million.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item and concurs with the Department's proposal and recommends this action based on the following: the cost of coordinating debris removal from the public right-of-way and coordinating with private contractors and monitors for the removal of debris from private property was not expressly authorized in the original EMF Use Policy. However, the need to respond to the cleanup of the debris related to the recent fires or any future disaster, justified a revision to the policy that allows for EMF monies to be used for the costs of a coordinated debris removal program.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: Peter H. Wulfman, 386-8703

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